

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION


Civil Action No.: 7:09-cv-00068-D

HOWARD DALE TOLBERT,)	
)	
Plaintiff,)	
)	
v.)	CONSENT ORDER FOR PAYMENT OF
)	FEES AND COSTS PURSUANT TO THE
MICHAEL J. ASTRUE,)	EQUAL ACCESS TO JUSTICE ACT
COMMISSIONER OF)	
SOCIAL SECURITY,)	
)	
Defendant.)	

This matter being submitted to the Court for entry of a Consent Order agreed to by the parties, and it appearing that Plaintiff, by and through his undersigned counsel, has executed this Consent Order, and Defendant has executed this Consent Order, by and through the undersigned Special Assistant United States Attorney; and it appearing that the parties have agreed to an award to the Plaintiff of \$2.724.00 for attorney fees in full and final settlement of all claims arising from the above captioned case pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d):

It is therefore ORDERED, this 15 day of February, 2011, that the Plaintiff shall be, and hereby is, awarded the sum of \$2.724.00 for attorney fees in full satisfaction of any and all claims against the Defendant arising under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum, the Defendant shall be discharged from any further liability for fees, costs, or expenses up until this point in time. If this award is subject to offset under the Treasury Offset Program or Astrue v. Ratliff, 130 S. Ct. 2521 (2010), the award shall be made payable to Plaintiff and sent to the office of Monica R. Savidge. If the payment is not subject to any such

offset, and a valid assignment is provided to the Defendant, the payment shall be made payable and sent directly to Plaintiff's counsel.



JAMES C. DEVER III
United States District Judge

CONSENTED TO:

/s/ Monica R. Savidge
MONICA R. SAVIDGE
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AND

GEORGE E. B. HOLDING
United States Attorney

BY: /s/ Michael Haar
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